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Frank L. Smith. (1927?)
To Prof. Carroll H. Woody: An Open
Letter ... Facts Omitted by Woody ...

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AN OPEN LETTER

to

Professor Carroll H. Woody

by

Frank L. Smith

To PROFESSOR CARROLL H. WOODY

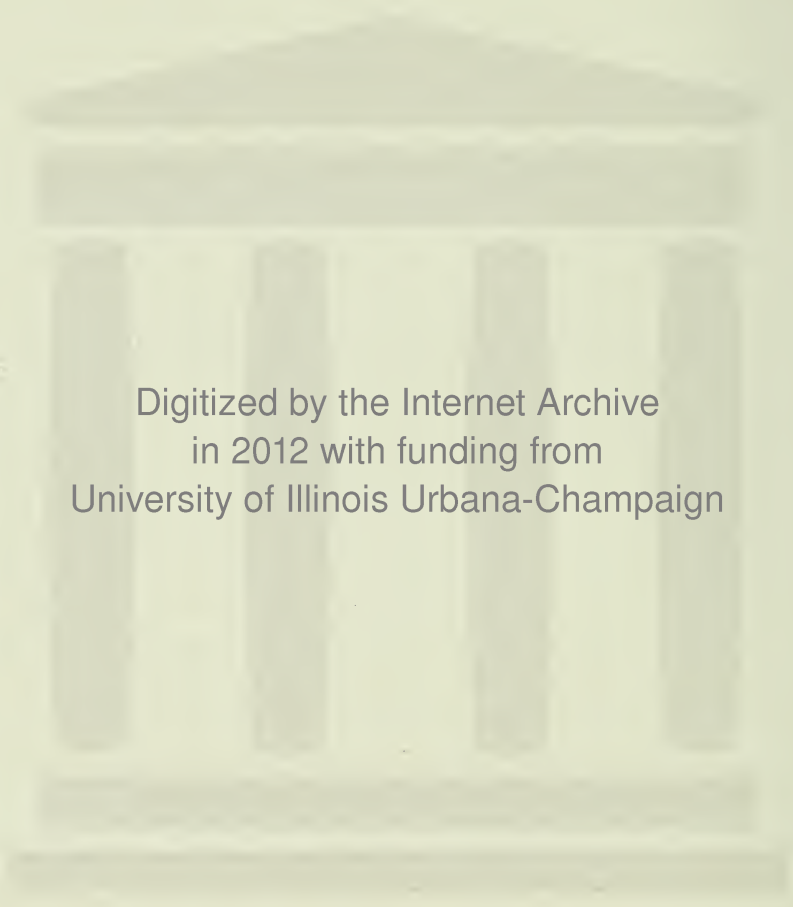
An Open Letter

Offering a chapter of more or
less pertinent facts omitted by
Professor Woody from his book

“THE CASE OF FRANK L. SMITH”

The Letter by

FRANK L. SMITH



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TO PROFESSOR WOODY

SIR: In the book, *The Case of Frank L. Smith*, written and distributed by yourself and your altruistic patron, you describe yourself as animated only by a passion for facts. Therefore I assume that I may be permitted to call your attention to an omitted chapter of facts, and to suggest, without being considered guilty of impertinence, its incorporation in future editions, if any.

As the facts for this omitted chapter concern your patron (whose generosity, you say, made it possible for you to write the book), they were probably known to you before your manuscript went to the printer. Perhaps your high-minded purpose "to avoid bias" (as set forth in your preface), induced you to omit them. One can understand that, having already paid handsome tribute to the liberality of your patron's purse and the loftiness of his civic spirit, you would hesitate to recite further facts which might—after you had applied to them "your own conception of the proper norms of political conduct" (if I may quote your preface again)—seem to surround your patron with a too effulgent aurora of civic righteousness. But your obligations to protect your patron's exceeding modesty are not mine. I am content to have him get the full glory due him. Hence my tender of the facts for the omitted chapter.

I suggest that if the facts I am offering you should be used, they should be inserted in connection with the matter on page 221 of your book, where you briefly state that Mr. Julius Rosenwald took the initiative to induce me to withdraw from the Senatorial race in 1926. You will not object, I am sure, if I use the third person in this recital of the circumstances of that incident. They were as follows:

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“Following the Chicago hearings of the so-called Reed Committee, which was investigating expenditures in the Senatorial Primary election of 1926, Mr. Frank L. Smith, the Republican nominee for United States Senator, went to New London, Connecticut, to recuperate his strength preparatory to going into the campaign for the Fall election. Just prior to the beginning of the Reed Committee hearings, Mr. Smith had undergone two serious major operations and was only partially recovered when the hearings occurred.

“Toward the end of August, Mr. Smith was called to the telephone. The person making the call identified himself as a reporter for the Associated Press, located in New York. The reporter informed Mr. Smith that Mr. Julius Rosenwald had given out an interview in New York in which he stated that he was on his way to the Summer White House ‘to discuss ways and means of getting Frank L. Smith to withdraw from the race as a candidate for United States Senator in Illinois.’

“It occurred to Mr. Smith that as a professing member of the Republican party, Mr. Rosenwald had often been a liberal contributor to the campaign funds of independent candidates, so he said to the reporter, ‘Well, who is Julius Rosenwald?’

“‘Why, he is a big business man out in Chicago. Don’t you know him,’ said the reporter.

“‘I still ask, who is Julius Rosenwald,’ said Mr. Smith, and declined to discuss the matter further.

“Mr. Smith did not return to Chicago until in September. In the meantime Mr. Rosenwald and various others upon whom he called for aid when he took part in politics, had put into the Senatorial race Mr. Hugh Magill, a resident of New York who had formerly lived in Illinois. The petition by which Mr. Magill was made a candidate described him as an ‘independent Republican.’ Without objection by Mr. Smith, the State election

board had permitted the petition to be filed, although it was probably illegal and most likely would have been rejected if Mr. Smith had opposed its acceptance.

"The Republican State Central Committee arranged to have the speaking campaign of Republican candidates preceding the national, state and local election begin on Monday, October 4. On the Saturday (October 2) preceding the starting of this campaign, a gentleman called Republican State Headquarters (at the Morrison Hotel, Chicago,) by telephone and asked to speak to Frank L. Smith. Upon being told by a headquarters employe, Miss Lucile Ireland, that Mr. Smith was not at headquarters but was at the Congress Hotel, the gentleman said, 'Well, tell Mr. Smith's secretary that I will call upon Mr. Smith at the Congress Hotel at 4:30 o'clock.' Asked by Miss Ireland, 'Who is speaking,' the gentleman answered, 'You wouldn't know if I told you.'

"Shortly after four o'clock that Saturday afternoon, Mr. Smith left Chicago for his home in Dwight, whence he was to leave on his campaigning tour on Monday. About eight o'clock that evening the telephone bell rang at Mr. Smith's home and he was informed that a long distance call was coming in from Highland Park, Illinois. When Mr. Smith went to the 'phone, the caller said: 'If anyone else is about, do not mention my name. This is Julius Rosenwald.'

" 'Did your secretary tell you I wanted to see you?' Mr. Rosenwald went on.

"Mr. Smith said, 'No, he did not.'

" 'I went to the Congress Hotel this afternoon to see you,' Mr. Rosenwald continued, 'and found you had just gone. I want to see you on a matter of importance.'

" 'Is this the man I think it is?' Mr. Smith asked, and Mr. Rosenwald answered, 'Yes, it is, and the matter I want to see

you about is not only of great importance but will be of great benefit to you.'

" 'I will be at home all day tomorrow,' Mr. Smith answered, 'but I am going out campaigning on Monday.'

" 'Yes, I know,' said Mr. Rosenwald, 'and I must see you before you go. I will meet you anywhere you say in Chicago—the Union League Club, the Congress Hotel, or wherever you say.'

"Mr. Smith stated that he had just come home from Chicago, that he did not see how he could return there so soon as he had many things to do before leaving for his campaign trip. But Mr. Rosenwald was insistent, emphasizing the statement that it would be to Mr. Smith's advantage to see him, and Mr. Smith finally said, 'Well, I'll think it over. If I conclude to come in, I'll call you up and advise you when and where I can meet you.'

"Mr. Smith told Mr. Rosenwald that if he wanted to talk to him about withdrawing as a candidate for United States Senator, it would be useless for him (Smith) to go to Chicago because he (Rosenwald) represented nothing in the councils of the Republican Party.

"Mr. Rosenwald's reply was, 'There is no need to discuss that now. I am not a meddler. It will be very much to your advantage to come to see me.'

"When Mr. Smith finished the conversation with Mr. Rosenwald, he told his wife, Mrs. Smith, and her brother, Mr. C. J. Ahern, who were present, that Mr. Julius Rosenwald had called and just what he had said. There followed a family council. Mr. Smith told Mrs. Smith and Mr. Ahern that he was sure Mr. Rosenwald's purpose in seeking an interview was to try to get him (Mr. Smith) to withdraw from the Senatorial race. Mrs. Smith and Mr. Ahern thought it might be possible that

Mr. Rosenwald was going to have Mr. Magill withdraw from the race. It was finally agreed between them that it would do no harm to hear what Mr. Rosenwald had to say.

"Subsequently an appointment was made for a meeting at the Congress Hotel for the next day at noon, Sunday, October 3, 1926.

"Mr. Smith, accompanied by Mr. Ahern, arrived in Chicago shortly before noon of that day and took rooms F6 and F8 at the Congress Hotel. A few minutes before twelve o'clock Mr. Rosenwald asked the information clerk at the hotel the number of Mr. Smith's room and was admitted at almost exactly 12 o'clock noon.

"After they had shaken hands, Mr. Rosenwald said, 'You would just about as soon expect the Deity Himself here as you would me,' and Mr. Smith answered, 'It is said the Deity is ever present. Sit down.'

"Mr. Rosenwald then asked if he might take off his coat, which he did, threw it across the back of a chair and sat down in his shirt sleeves.

" 'May I talk plainly?' he asked.

" 'You sought the interview,' Mr. Smith said, 'so, of course, you can say what you came to say.'

" 'I do not want to hurt your feelings,' Mr. Rosenwald said, to which Mr. Smith replied. 'They have already been hurt about as deeply as possible, so speak your mind.'

" 'You know that if you are elected United States Senator, you can't be seated, don't you?' Mr. Rosenwald said.

" 'No, I don't know that,' Mr. Smith said.

" 'I don't think anyone knows that,' Mr. Smith continued, 'because the only persons who have anything to say about that are the members of the United States Senate, and I do not be-

lieve they will prejudge the facts or deny a sovereign state its rights under the Constitution.'

"Mr. Rosenwald replied, 'I have it from one very high in authority that you can't be seated.'

" 'I don't know anyone high enough in authority to make such a statement,' Mr. Smith said, 'when the matter has not yet been brought to the attention of the Senate in a proper way.'

" 'I want you to know what activity I had in the Magill matter,' Mr. Rosenwald said, dismissing the question of whether Mr. Smith could be seated if elected, and went on to say that upon coming back from New York preceding this interview he had been met by a delegation, naming several of them. He stated that he and some of the members of the delegation went to his (Mr. Rosenwald's) office at the Sears-Roebuck plant.

" 'During the discussion of Mr. Magill's candidacy, and ways and means of financing it, I told them,' continued Mr. Rosenwald, 'that I would support Magill, but that it would have to be a modestly financed campaign. I also told them that I would rather have supported Logan Hay but that for certain reasons Mr. Hay could not be a candidate.'

"Mr. Rosenwald continued that in the same week another meeting of some of the same people had been held at his office at which his Secretary had been called in to act as Secretary of the meeting.

" 'At this meeting, held on Friday,' Mr. Rosenwald said, 'when we were discussing ways and means of financing the campaign of Mr. Magill, I told them I did not want to be the angel of the campaign, but that if I thought we could elect Magill, I would put up \$500,000.'

"Mr. Smith broke into Mr. Rosenwald's statement to say that there was probably a law against any such expenditures for the election of a candidate for United States Senator. Mr.

Rosenwald replied that he didn't understand that; that he didn't know that; and waiving the question aside, went on:

“ ‘Now I want to say something to you, not in the interest of any candidate, but just because I am a Republican and because I am interested in the Republican party and the State of Illinois.

“ ‘After the meeting the other day I went to an inner room to take a siesta upon orders from my doctor. While lying there thinking, I had a brainstorm. I thought to myself, “If I will give \$500,000 to have Magill elected, why not give Frank Smith \$500,000 and have him withdraw?”’

“ ‘So I acted.

“ ‘No one knows what I am about to say to you except my wife, whose consent I had to get before I could make the offer, and no one else will know from me.

“ ‘If you will withdraw from the Senatorial race, I am here to offer you 10,000 shares of Sears-Roebuck stock the moment you sign your withdrawal notice. In a few months that stock will be worth three-quarters of a million dollars.

“ ‘You can give as your reason for withdrawing that your health won't permit you to make the campaign (Mr. Smith, as previously stated, had undergone a grave double operation and was not fully recovered) or any other reason you want to give. The 10,000 shares of stock will be deposited in escrow in any bank you name, to be turned over to you when your withdrawal occurs.’

(“It is interesting to note here that Mr. Rosenwald's tender of 10,000 shares of Sears-Roebuck stock for the withdrawal of Mr. Smith was made on the day following the last day for filing nominations for Senator, and upon the first day that withdrawals were permitted. Had Mr. Smith accepted, there would

have been no Republican candidate for Senator on the ticket but only the Democratic candidate, Mr. George E. Brennan, the Independent Republican candidate, Mr. Hugh Magill, and an independent Democratic candidate whose candidacy was not taken seriously.)

“ ‘I am astounded,’ Mr. Smith said, ‘at the turn of mind that some of you moralists have. You think that a campaign contribution by Mr. Insull has unfitted me to be a representative of Illinois in the Senate.’

“ ‘Unfortunately, yes,’ said Mr. Rosenwald.

“ ‘But you also think,’ continued Mr. Smith, ‘that for three-quarters of a million dollars it is all right for me to sell to you for my own benefit what 650,000 people as American citizens gave me in their confidence.’

“ ‘To which Mr. Rosenwald replied, ‘Oh, you do not put it fairly. You have a perfect right to withdraw if you want to.’

“ ‘Mr. Smith replied, ‘In all probability there is no law to punish either of us for making such an agreement.’

“ ‘Mr. Rosenwald said, ‘I am not acting for anyone. I speak solely for myself.’

“ ‘Mr. Smith replied, ‘I cannot understand your type of mind. From my viewpoint there is something else involved beside the election of a United States Senator. There is my personal integrity,’

“ ‘Mr. Rosenwald then said he did not think an election would vindicate Mr. Smith.

“ ‘I think you will be elected,’ he went on, ‘but that will not be a vindication. You will always have a feeling of hurt which will be accentuated by the continuous attacks upon you. These attacks will ruin your health. Your election will not be worth the effort and the suffering. You can live more happily

by not being a candidate; you can enjoy life, and have plenty of money to do it with.'

"Mr. Smith declined the offer without hesitation, whereupon Mr. Rosenwald said, 'Well, all my cards are on the table.'

"Mr. Smith replied, 'There is no reason for discussing this matter further. If I believed that my candidacy would injure my party, I would withdraw without consideration, but you are the first individual who has spoken to me about such action.'

" 'What you need is a frank friend like myself,' said Mr. Rosenwald.

"The two sat looking at each other for a long moment. Finally Mr. Rosenwald got up, put on his coat, and walked slowly to the door. As he opened it, he said, 'If you want to see me before it is too late, you have my telephone number.'

" 'I shall not want to see you on this matter at any time,' Mr. Smith replied.

"Mr. C. J. Ahern, who sat outside of the room during this interview, saw Mr. Rosenwald take his way to the elevator.

"In 1928 the Republican national convention was held in Kansas City. This convention was attended by both Mr. Rosenwald and Mr. Smith. Passing through the long hallway of the Baltimore Hotel one morning on his way to the rooms of Mr. Allen F. Moore (accompanied by former Congressman William W. Wilson), Mr. Smith heard a voice out of the gloomy hallway say, 'How do you do,' and saw Mr. Rosenwald seated on a chair at the end of the hall. As Mr. Smith was slow in recognizing Mr. Rosenwald, the latter went on, 'You remember me, don't you? We came very near being partners once.'

" 'We did not even come close. I don't do business with sordid-minded people,' Mr. Smith said and passed on.

"When Mr. Smith reached the room where Mr. Moore, Mr. Garrett De F. Kinney, and others were assembled, he felt a tug at his coat and, looking around, found himself facing Mr. Rosenwald. 'What did you mean by what you said out there,' Mr. Rosenwald said.

" 'I meant that you have a sordid mind,' Mr. Smith said. 'You can surely understand the English language.'

" 'Why, you don't think I had any sinister motive in trying to get you out of the race for United States Senator, do you?' said Mr. Rosenwald.

" 'I think,' said Mr. Smith, 'that I have as much right to assume that a sinister motive prompted you to offer me a million dollars to get out of the race for United States Senator (the price of Sears-Roebuck stock had gone up) as there was for you to think that there was something sinister behind contributions to my primary fund.'

" 'Why, I want nothing from any United States Senator,' declared Mr. Rosenwald.

" 'I don't know about that,' Mr. Smith said. 'But what would you have said had I told the story of your offering me 10,000 shares of Sears-Roebuck stock not to be a candidate for United States Senator, after I had been nominated by the people?'

"Mr. Rosenwald said he would have admitted that he had done so, either in Mr. Smith's first campaign or in his second campaign, or that he would admit it then, but that of course he hoped Mr. Smith would not tell the story.

"Mr. Rosenwald then said, 'Well, everything happened to you that I told you would happen, didn't it?'

" 'Yes, as per schedule,' said Mr. Smith.

“ ‘You are the first man I have known to refuse a million dollars,’ said Mr. Rosenwald.

“ ‘No, the woods are full of them, and most of them would have been less courteous in refusing you than I was,’ said Mr. Smith.”

This is the end of that chapter, Professor Woody, and I think you will agree with me, that these facts should be included in your book, if your desire is, as you say in your preface, “to permit the facts to speak for themselves.” The recital above is all fact. What I have set down is not just a five-year-old memory of the occurrence. It was all written out when it happened.

I do not believe your patron will dispute any of the facts herein alleged. I am sure he remembers the occasions mentioned. I repeat, I feel almost sure that he has told you of these incidents, in substance at least. Your text indicates that he took you into his confidence. But, in gathering the information and misinformation you used in your book, and after applying to that mess “your conception of the proper norms of political conduct,” you may have thought it proper to take a worm’s-eye view of what you had collected instead of a bird’s-eye view or a man’s-eye view. How can I tell? And if you did, it was only natural that you should omit the facts above recited.

May I add that your patron was a prophet in several of the assertions made in the course of the principal interview related. Every effort was made to have all of his prophecies come true. The only one that did not was the one that my health would be destroyed. He was particularly right about the price of Sears-Roebuck stock. The closing price of 10,000 shares of that stock the day after his offer was made was \$555,000. In August 1927 the market price was \$755,000, and in November 1928 it was \$1,975,000.

Hence, if I had only had the spirit of civic righteousness that inspired your generous patron, and which he thought I ought to have had, I might, as he suggested, have had less grief, might have enjoyed life and have had "plenty of money to do it with"—virtually two million dollars. But, as I told your patron, my own idea was that I had no right to sell a nomination that had been voted to me by the Republicans of this state, so the record shows that I took my own way—and suffered.

Yours very truly,

FRANK L. SMITH.

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